

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DILORENZO BIOMEDICAL, LLC,	§	§
Plaintiff,	§	§
v.	§	Civil Action No. 4:23-cv-1800
LIVANOVA, INC., and LIVANOVA	§	Patent Case
USA, INC.,	§	Jury Trial Demanded
Defendants.	§	§
	§	§

**JOINT MOTION FOR EXTENSION OF DEADLINE TO COMPLETE MEDIATION**

COME NOW Plaintiff DiLorenzo Biomedical, LLC (“Plaintiff”) and Defendants LivaNova, Inc. and LivaNova USA, Inc. (collectively, “Defendants”) and file this Joint Motion for Extension of Deadline to Complete Mediation, and in support thereof, would respectfully show as follows:

Plaintiff filed this Lawsuit on May 17, 2023 [Dkt. 1], served Defendants on August 9, 2023, and Defendants filed their Motion to Dismiss on October 16, 2023 [Dkt. 21]. On October 24, 2023, the Court held its Initial Conference in this case and entered the Scheduling Order [Dkt. 28] (as modified on December 20, 2023, Dkt. 38). Pursuant to the Scheduling Order, the deadline for the parties to select a mediator was January 12, 2024 and the deadline for the parties to complete mediation is February 16, 2024. *See* Dkt. 38.

The parties have retained Lawrence Graham, Esq. to serve as the mediator. After working to coordinate the schedules of Mr. Graham, the parties, and their counsel, have agreed to an in-person mediation on February 27, 2024. As such, the parties respectfully request that

the Court extend the deadline to complete mediation to March 1, 2024. This extension is not sought for the purpose of delay.

WHEREFORE, Plaintiff and Defendants respectfully request that this Court grant this Joint Motion for Extension of Deadline to Complete Mediation and extend the deadline to complete mediation to March 1, 2024.

Dated: February 13, 2024

/s/ Ronald Abramson

Wasif H. Qureshi  
Texas Bar No. 24048155  
SDTX No. 584650  
**Jackson Walker LLP**  
1401 McKinney Street, STE 1900  
Houston Texas 77010  
(713) 752-4200  
wqureshi@jw.com

OF COUNSEL:

**LISTON ABRAMSON LLP**  
The Chrysler Building  
405 Lexington Ave, 46<sup>th</sup> Floor  
New York, New York 10174  
Tel: (212) 257-1630  
Ronald Abramson (admitted *pro hac vice*)  
David G. Liston (admitted *pro hac vice*)  
Ari J. Jaffess (*pro hac vice* application  
forthcoming)  
Alex G. Patchen (admitted *pro hac vice*)  
M. Michael Lewis (*pro hac vice* application  
forthcoming)  
Gina K. Kim (admitted *pro hac vice*)  
Email: *docket@listonabramson.com*

*Counsel for Plaintiff DiLorenzo Biomedical, LLC*

Respectfully submitted,

/s/ Benjamin C. Elacqua

Benjamin C. Elacqua  
*Attorney-in-Charge*  
Texas Bar No. 24055443  
elacqua@fr.com  
Karrie Wheatley  
Texas Bar No. 24098605  
wheatley@fr.com  
Kathryn Quisenberry  
Texas Bar No. 24105639  
quisenberry@fr.com  
**FISH & RICHARDSON P.C.**  
909 Fannin Street, Suite 2100  
Houston, TX 77010  
Tel: (713) 654-5300

*Counsel for Defendants LivaNova, Inc. and  
LivaNova USA, Inc.*